

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re PATENT application of)
Albert H. F. De Heer et al.) Confirmation No. 8216
Serial No. 09/625,913) Group Art Unit: 2164
Filed: July 26, 2000) Examiner: Sana A. Al Hashemi
For: METHODS OF CATALOG DATA)
MAINTENANCE, STORAGE, AND)
DISTRIBUTION) Electronically filed on September 15, 2008

REPLY BRIEF

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following Reply Brief is submitted in support of the appeal proceedings instituted by a Notice of Appeal filed April 24, 2006 and in response to the Examiner's Answer dated July 29, 2008. This Reply Brief is intended to supplement the Appeal Brief filed September 28, 2006 (hereinafter referred to as "Appeal Brief"). As stated in the Appeal Brief, this Appeal is taken from the rejection of Claims 1-39. The Reply Brief has been timely submitted within two months from the mailing date of the Examiner's Answer.

Appellants note parenthetically that it took over 22 months from the filing of the Appeal Brief for the Examiner to issue the Examiner's Answer. Moreover, the Examiner included a new assertion in the Examiner's Answer; one not asserted in the Final Office Action.

REMARKS

Appellants would like to focus this Reply Brief on a new assertion relied upon by the Examiner in the Examiner's Answer. The new assertion appears on page 16 of the Examiner's Answer where the Examiner stated that:

"[t]he Claim language 'the manufacturer SKU being associated with at least one customer SKU, the customer SKU is also being associated with the customer for which the product data is being stored'. The claim does not contain each customer, to continuo (sic) with the claim language 'the customer being a manufacturer, retailer, or distributor of the product'. In other word if the customer is a manufacturer the invention would have one SKU". (Emphasis in original).

Appellants respectfully disagree. The method claimed in Claim 1 recites:

"A method of distributing data for use in an electronic catalog, comprising:
capturing product data for one or more products according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more product attributes; and
storing the captured product data in a product data file, the product data in the product data file including both a manufacturer SKU that identifies each of the products, and at least one customer SKU that identifies each of the products for a customer requesting distribution of specified product data from the product data file for use in an electronic catalog, the manufacturer SKU being associated with at least one customer SKU, the customer SKU also being associated with the customer for which the product data is being stored for subsequent distribution to the customer, wherein the stored product data is suitable for use by the customer in an electronic catalog, the customer being a manufacturer, retailer, or distributor of the products".

Appellants respectfully submit that the method, as claimed in Claim 1, requires that the product data in the product data file includes **both** a manufacturer SKU that identifies each of the products, and at least one customer SKU that identifies each of the products. Claim 1 also recites that "the customer being a manufacturer, retailer, or distributor of the products".

As stated above, the Examiner stated in the Examiner's Answer that "[t]he claim does not contain each customer, to continuo (sic) with the claim language 'the customer being a manufacturer, retailer, or distributor of the product'. In other word if the customer is a manufacturer the invention would have one SKU". (Emphasis in original)." Appellants respectfully submit that, even if the customer is the manufacturer of the product, the method in

Claim 1 calls for the product data in the product data file to include **both** a manufacturer SKU that identifies each of the products, and at least one customer SKU that identifies each of the products. Appellants respectfully submit that, even if the customer has both a customer role and a manufacturer role, according to the method in Claim 1, there must be both a manufacturer SKU that identifies each of the products, i.e., for the manufacturer role, and at least one customer SKU that identifies each of the products, i.e., for the customer role. For at least the above reasons, Appellants respectfully submit that the Examiner's statement in the Examiner's Answer that "... if the customer is a manufacturer the invention would have one SKU" is not correct.

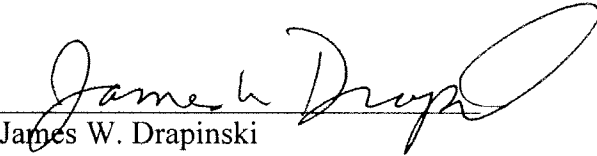
The computer-readable medium in Claim 31 and the system in Claim 33 also include "the product data in the product data file including both a manufacturer SKU that identifies each of the products, and at least one customer SKU that identifies each of the products" and "the customer being a manufacturer, retailer, or distributor of the products". Similarly, the system in Claim 32 includes "the product data in the product data file including both a manufacturer SKU that identifies each of the products and at least one customer SKU identifying each of the products" and "the customer being a manufacturer, retailer, or distributor of the products". Therefore, Appellants respectfully submit that the above remarks regarding Claim 1 also apply correspondingly to Claims 31, 32, and 33.

The method in Claim 21 includes "the customer product portfolio file including a manufacturer SKU associated with each of the products for which product data is requested for use in an electronic catalog, a customer SKU associated with each of the products" and "each of the customers being a manufacturer, retailer, or distributor products for which product data is requested by the customer in the customer product portfolio file". Thus, Appellants respectfully submit that the method in Claim 21 call for the customer product portfolio file to include both a manufacturer SKU associated with each of the products and a customer SKU associated with each of the products. Thus, it is respectfully submitted that, even if the customer is a manufacturer, the method calls for the product portfolio file that includes both SKUs. Claim 21 also recites that "each of the customers being a manufacturer, retailer, or distributor ..." making it even more clear that the product portfolio file includes both a manufacturer SKU associated with each of the products and a Customer SKU associated with each of the product.

Thus, at least for the foregoing reasons and the reasons previously presented in the Appeal Brief, Appellants respectfully submit that the rejection of Claims 1-39 should be reversed, and an indication of immediate allowability is respectfully requested.

Respectfully submitted,

Date: September 15, 2008


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